

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN M. BURGE,

Defendant.

**CASE NO. CR 08-5453 BHS**

DEFENDANT'S UNOPPOSED  
MOTION FOR ORDER EXTENDING  
PRETRIAL MOTIONS DEADLINE  
and

ORDER AUTHORIZING SAME

NOTE FOR: October 3, 2008

Counsel for the defendant moves this Court to extend the motions filing deadline three weeks from October 6, 2008 to October 27, 2008 based on the following reasons.

Trial is set for January 13, 2009. AUSA London does not object to this extension of time request. The defendant is not in custody.

All or almost all discovery has been received by the defense, the last portion having arrived yesterday. As we previously advised the court, extensive discovery was generated in the state prosecution that was pending in Cowlitz County for almost one year and now has been fully reviewed by the defense. However, defense investigation is on-going and we now expect that key information--relevant to on-going plea negotiations -- will become available within the next two weeks. In turn we expect that said negotiations will be

DEFENDANT'S MOTION FOR ORDER  
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LAW OFFICES OF  
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1 completed no later than October 27 and by that date time the need for a trial or pre-trial  
2 motions will become known to the parties. Government counsel has indicated the likelihood  
3 that additional fraud charges will be added by a superseding indictment prior to trial in the  
4 event plea negotiations do not resolve the case. In that event we expect that motions and  
5 pre-trial hearings can be timely resolved without interfering with trial date.

6 Dated this 1st day of October, 2008.

7 Respectfully submitted,

8 /s/ Kenneth E. Kanev

9 By: \_\_\_\_\_  
10 KENNETH E. KANEV,  
11 Attorney for Defendant Ryan Burge

12 ORDER

13 Based on the foregoing,

14 IT IS SO ORDERED that the pre-trial motions filing deadline is extended to October  
15 27, 2008.

16 Dated this 8<sup>th</sup> day of October, 2008.

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21 BENJAMIN H. SETTLE  
22 United States District Judge  
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DEFENDANT'S MOTION FOR ORDER  
EXTENDING PRETRIAL MOTIONS DEADLINE -